

PLANNING COMMISSION
Minutes of February 23, 2004, Meeting

Members Present: Linda Snider, Joseph Dixon, Rick Lucas, Tom Dantzler, Mark Siegel

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; Holly Anderson, Senior Planner; Mike Scarey, Senior Planner; Brian Galloway, Associate Planner; Don Monaghan, Public Works Director

1. Call to Order:

The meeting was called to order at 5:30 p.m.

2. Approve Minutes of February 9, 2004, Meeting:

A motion was made, seconded, and unanimously passed to accept the minutes of the February 9, 2004, minutes as presented.

3. Old Business:

A. Continued Discussion about Wireless Telecommunications Facility (WTF) Survey, Proposed Zoning Code Amendments, and Schedule

Holly Anderson began the discussion by advising the Commission that Cityscape would be conducting a WTF workshop from 3:30 p.m. to 5:00 p.m. on March 30, 2004, in the Council Chambers. A joint meeting between the City Council and Planning Commission will follow from 5:00 p.m. to 6:00 p.m.

A Wireless Telecommunications Facilities Zoning Survey was distributed that included a new column titled "Weighted Total" designed to compile results of the surveys previously completed by the Commissioners. This new column assigned a weight to each answer i.e. highly preferable was given a weight of two, preferable - one, neutral - zero, not preferable - negative one, and highly not preferable - negative two. The weights were then multiplied by the number of votes in each category to arrive at one number representing the total votes. The survey will be reviewed and discussed to clarify assumptions that may have been made in answering various questions. Pictures, including some of equipment shelters in Federal Way, will be shown to further clarify issues. It had been suggested at a previous meeting that a survey be completed by the Commission as a whole to clearly reflect a consensus opinion.

Various survey questions were addressed and discussed as follows:

Question Number One, What Towers to Allow (Stealth or Non-Stealth), by Type and Zoning Category:

There was consensus among the Commission that only stealth towers would be highly preferable.

Question Number Two, Types of Wireless Facilities:

Discussion was held about non-stealth towers being prohibited; collocation being allowed on an existing non-stealth tower only if the tower was upgraded to or replaced by a stealth tower; collocation on existing stealth towers being allowed provided the tower remained stealth-like.

Steve Butler advised that initial providers may not allow collocation unless subsequent providers pay for required upgrades; therefore, it's possible that new towers would be installed rather than existing towers upgraded.

Discussion was held about the advantages and disadvantages of WTF requirements paralleling Sign Code requirements such as thresholds whereby towers must be brought into compliance with current code; incentives being made available to providers to encourage replacement or upgrade of existing non-stealth towers; both 800 and 1900 megahertz facilities being housed in stealth towers.

Steve Butler recounted for clarification that there was the consensus of the Commission that collocation would be allowed on existing stealth towers provided the towers remained stealth, and collocation would be allowed on non-stealth towers only if the tower was upgraded to stealth. Stealth towers would be required on rooftops and on the sides of buildings or other structures. He further clarified that the question relative to replacement of an existing tower with a new tower to allow more opportunity for collocation carried the assumption of the Commission that the tower would, in fact, be a stealth tower.

Discussion was held about the consultants being available to answer questions at the workshop on March 30. Holly Anderson recommended that each Commissioner prepare a list of questions that could be forwarded to Cityscape to ensure those issues would be addressed at the workshop. It was suggested that the cumulative list of questions be e-mailed to each of the Commissioners prior to the March 30 meeting.

Question Number Three, Possible Locations for New Wireless Telecommunications Facilities:

The majority of Commissioners agreed that facilities should be located wherever it was most appropriate aesthetically, regardless of whether or not it was on City-owned property in a right-of-way, on other public property, or on private property.

Question Number Four, Goals to Meet with the Revised Wireless Telecommunications Ordinance:

Discussion was held about the location of facilities being based on primarily aesthetic criteria with no distinction between residential and commercial properties; the Planning Commission felt the City shouldn't deliberately target areas for location of facilities specifically to generate revenue; locating facilities on City-owned property being acceptable if there were a logical site; the City generating revenue from facilities through permit fees only; private property owners being included in meetings between the City and providers to determine the best location for facilities; and the City having the same opportunity to explore revenue generating opportunities as the private sector.

Question Number Six, Equipment Shelters:

Holly Anderson showed an example of an underground equipment shelter where ventilation system noise could be problematic; she will research this issue further.

Steve Butler reiterated that survey results indicate that equipment screened within an opaque fence and/or landscaping in industrial/commercial zones and placement of equipment underground where feasible in residential zones both were rated very important by the Commissioners.

Discussion was held about the use of shrubbery to conceal the entrance to underground shelters; above-ground shelters being acceptable in residential zones provided they resemble residential structures and appropriately screened; collocation and lot coverage issues relative to equipment shelters on private property in residential zones; financial impacts to providers if the City develops regulations requiring underground shelters.

Steve Butler advised that if a draft ordinance was available, it would be provided to the Commission at their March 22 meeting.

B. Update on South Military Road Rezone Process

Mike Scarey stated that an open house was scheduled for Wednesday, March 3, 2004, at the Valley Ridge Park Community Center to address the South Military Road Rezone Process. He provided the Commissioners with the notice sent to all property owners within and adjacent to the proposed rezone area that included a letter

announcing the open house and a map indicating which properties now have access to sewer service. Various stations will be staffed by Planning Department personnel and representatives of the two sewer districts serving these areas will also be in attendance to answer questions. It is expected this meeting will be well attended and the open house format was chosen to provide citizens the opportunity to have their questions answered one-on-one

Mike Scarey advised that input received at the open house would be used by staff to develop the City's formal rezone proposal. The proposal may include accommodation for a latecomer's fee to extend sewer service to properties where it is not currently available.

In a separate but related matter, recent Growth Management Hearings Board decisions have clarified growth management law that within the Urban Growth Area (UGA), zoning density regulations must allow for at least four dwelling units per acre. SeaTac is within the UGA and all residential zoning designations comply with the density requirements with the exception of Urban Low Density 15,000 (UL 15000). The City is considering rezoning properties designated UL 15000 to Urban Low Density 9,600 (UL 9600) as a part of the current area-wide rezone proposal. The City currently requires either a certificate of sewer availability or septic approval from the King County Health Department as a condition of approval on all development proposals.

C. Continued Discussion about Planning Commission 2003 Accomplishments and 2004 Goals

This issue was tabled until the meeting of March 8, 2004.

D. Update about Results from the Comprehensive Plan-Related Community Meetings

Mike Scarey explained that three of the four scheduled community meetings regarding the 2004 Comprehensive Plan Amendment Process had now been held. The first was on February 4 at City Hall, the second on February 9 at the Angle Lake Manor Club, and the third on February 11 at the McMicken Heights Community Center. The fourth and final meeting is scheduled for Wednesday, February 25 at the North SeaTac Park Community Center.

Questionnaire results to date have been compiled and summarized. Primary issues include the need for a defined center for the community, pedestrian scale shopping and entertainment areas (coffee shops, restaurants), family oriented local services in proximity to residential neighborhoods, sidewalks in residential neighborhoods, high quality economic development, concern for the City's image regionally, the proliferation of commercial parking lots, vandalism, theft, and other criminal activity.

Discussion was held about the City Council, appropriate City departments, and various business committees being made aware of citizen needs and concerns; opportunities for the business community to serve both business travelers and residents; a partnership between the City and developers to encourage development of the City Center area.

Mike Scarey stated that a report on the meetings would be produced and presented to the City Council.

4. New Business:

A. Initial Discussion about Subdivisions and Road Dedications/Minimum Densities

Jack Dodge explained that a 60' wide right-of-way is required throughout the City. As part of any development proposal, if the right-of-way is less than 60' wide, the property owner must dedicate the necessary property to the City. An issue regarding road dedication has been raised relative to a particular proposed short plat where the required road dedication (10' x 100') would reduce the original lot size of 15,000 square feet to 14,000 square feet, thereby making it ineligible for approval because the resulting lots would be less than the 7,200 square foot minimum required by the zoning of the subject property.

One issue to be resolved is whether or not the City should amend regulations to allow the public right-of-way dedication to be counted in the gross lot area during the initial lot division calculation, which would result in lots smaller than currently required. A second issue is determining the maximum area that may be counted.

Don Monaghan stated that the City's long term goal was to provide full urban amenities on all streets within the City. As properties redevelop or infill, the right-of-way is being collected to allow for that in the future.

Discussion was held about allowing the right-of-way dedication to be included in the gross lot area calculation provided that the necessary right-of-way was immediately conveyed to the City; and potential legal impacts of allowing lots to be created that were less than the minimum square footage required.

Russ Nuss, 16834 Military Road South: Mr. Nuss stated that prior to purchasing the property in question, he had an over-the-counter conversation with a Planning staff member and it appeared the lot would be dividable. After the purchase, Mr. Nuss attended a City Development Review Committee meeting where he was told that the right-of-way dedication requirement would not allow for subdividing because the resulting lots would be less than 7,200 square feet. Mr. Nuss explained that he had unsuccessfully attempted various other alternatives to resolve the issue, and was now requesting that regulations be amended to allow for an exception in cases like this one.

Jack Dodge advised that the most appropriate avenue to allow for this exception would be for the City to amend the code to allow the right-of-way dedication to be counted toward gross lot area in certain situations. The dedication would become effective when the short plat was recorded with King County. Under current code, not requiring the dedication and allowing a waiver would set a precedent that could prove problematic in the future.

A motion was made to recommend that the City Council approve a zoning code amendment to allow no more than 1000 square feet of the public right-of-way dedication to be counted in the gross lot area during the initial lot division calculation, and that the right-of-way dedication will be deeded to the City as a condition of approval. The motion was seconded, and carried four to one.

5. Commission Liaison's Report:

The February 12, 2004, Land Use & Parks Committee meeting agenda included the following items:

(1) Update on Senior Center Study; (2) Update on Wireless Telecommunication Facilities Work Progress; (3) Discussion about the Desirability of New Surface Parking Lots Within the City Center; (4) Update on the 2004 Comprehensive Plan Amendment Process and Community Meetings; (5) Continued Discussion about the Proposal to Change the Definition of a Short Plat/Right-of-Way Dedication Requirement for Short Plats.

Discussion was held about development agreements and it was unanimously agreed that the Chair would go before the City Council and request that all future development agreements go before the Planning Commission for their review and recommendation.

6. Planning Director's Report:

A joint meeting between the City Council and Planning Commission will follow the Cityscape WTF workshop on Tuesday, March 30. Tomorrow night's City Council meeting agenda includes approval of Mobile Refueling.

7. Adjournment:

The meeting was adjourned at 8:30 p.m.